PILOT BLAMES CAPT. FOOTE FOR GREAT LOSS OF LIFE. Says His Hesttation About Beaching

Steamer Lost Time - Passengers Lost Their Heads, or More Might Have Been Saved - Stories of Survivors Number of Victims Placed at 65.

VICTORIA, B. C., Aug. 19.-The list of dead in the steamship Islander calamity off Douglass Island on Thursday morning cannot be secured in completeness yet as Purser Bishop remained at Juneau to forward the passengers and kept the papers He sent a letter to Mr. Vincent, Secretary of the company, but gave only few names of those who had been lost. The officers and passengers who came down on the Queen were likewise able to give only an incomplete list. Those who arrived estimate the loss of life at about sixty-five and give the greatest praise to the officers for the manner in which they acted under the most trying circumstances. The officers, on the other hand, say that had the passengers not rushed into the boats the loss of life would have been very

gold dust went down with the steamer. Of this amount \$100,000 was carried by passengers, Mr. H. Hart of Dawson, who had been mining in the Klondike for sixteen years, having \$35,000. A small amount of the precious metal was saved. Two packages containing \$10,000 were left in the purser's safe, the balance in his poson being returned to passengers before the steamer sank.

The list of the dead obtainable at present

PASSENGERS LOST Dr. John Duncan of Victoria, Mrs. Ross, wife of the Governor of Yukon Territory, her child and nurse; E. Mills, Mr. Bell of Victoria, Mrs. John Nickerson of Victoria; Andrew Keating of Los Angeles and his two sons, Arthur, aged 23, and Julius, aged 20; J. A. Betham of Vancouver, Mrs. J. L. Wilcox of Scattle, J. M. Douglas of Kelly, Douglas & Co., Vancouver; Mrs. Phillips, wife of Dr. Phillips of Seattle,

CREW LOST. H. R. Foote, leaves wife and family; Horace Smith, second stoward; S. J. Pitts, cook; A. Burkholder, olier, Victoria; A Burk, oiler; J. Hatch, fireman; J. Porter, coal passer; A. Moran, coal passer; Kendall, saloon watchman; Joe Beard, second pantryman; two waiters; George Miles, barber, Victoria; Mrs. Lawson, Victoria; V. Law, M. P. Jacks.

CHIEF ENGINEER'S STORY. Chief Engineer Brownlee, interviewed this morning, said he was sleeping in his cabin adjoining the engine room, when suddenly he heard the ship strike with a grinding, crunching sound, and felt her roll and rock. He heard considerable commotion. He jumped from his bed and turned on the light. As he did so the bell which connects his apartment with the engine room, in which the third engineer. George Allen, was on duty, rang and the chief knew that he was wanted immediately He happened to glance at the clock as he. turned on the light, and it was exactly 2:15 A. M. A hurried investigation showed him that water was pouring into the boiler compartment in the forehold. Two firemen rushed up to the necessary contriv-ance, the top wheel, and succeeded in closing the water-tight compartment. One of these men is now dead. Had it not been for their promptness the chief says the steamer would not have remained

above water five minutes.

The chief encountered the captain just the left his room, who inquired if she as taking much water.
"I told him," said Mr. Brownlee, "that "told him," said Mr. Brownlee, "that within a very few minutes she would be under, and the captain proceeded to the deck. With one exception, that was the last I saw of him."

deck. With one exception, last I saw of him."

Continuing, the chief said that he received several telegraph orders of full speed ahead and full speed astern. But it was absolutely impossible to carry them out. By had settled to such an had settled to such an extent that the propeller was out of the water and consequently could not work. He rushed to the deck and the bridge and

while there he saw the lifeboats, six in number, and the life rafts launched. This was done very successfully under the direction of Capt. Harris, a well-known sealer, the mate and the second officer. Having told the captain that he could do well-in the chief returned helps a the Having told the captain that he could do nothing, the chief returned below, as the second and third engineers were in the engine room, waiting his orders. He told them to get out and save themselves, as in a few minutes the steamer would sink. They grabbed life preservers from their rooms, and the three rushed for the dining room on their way to the deck, but it was impossible to reach the stairs forward. mpossible to reach the stairs forward. The ship was half full of water, which was

pouring along the saloon.

"We thought we were caught in a trap," said the chief, "but managed to keep our heads, or we would not be here now. We ran and climbed the stanchion to the deck. We were not there more than a few seconds when the ship went down.

Mr. George Allen, the third engineer, the chief believes, jumped overboard and must have struck the propeller for he was not

ON THE RAFT.

Mr. Brownlee and the second engineer hung to the railing at the stern as high as they could go, that place being the only part where the ship was not under water. s the ship went down they were still there a he came to the surface, Mr. Brownlee ht hold of a piece of wreckage, and just then Dr. Phillips of Seattle popped up and grabbed the same piece. It was only a frail support at best, and Phillips was in frail support at best, and Phillips was in a terrible state of mind, having just seen his wife and child drawn to their doom in a whirlpool formed by the sinking steamer Another man was observed struggling in the water and the end of the wreckage was passed to him. He was one of the oilers, named Burge. Thus, there were three men clinging to one frail piece of wreckage, which was only about 4 by 4, or thereabouts. The case was a desperate one. Three men were depending for their lives on a support which was wholly inadequate, while the horror of the situation was enhanced by the connation was enhanced by the con-

Finally he was calmed and Brownlee Finally he was calmed and Brownlee cocked about for some more substantial means of support. Suddenly the fog which had wrapped all in obscurity lifted and he discovered a quantity of wreckage not far away and made for it and succeeded in securing enough for a makeshift raft. By his time his legs were so numb with cold hat he could not move them. He was compalled to rub and numb them persistently pelled to rub and punch them persistently to restore circulation. He hauled Dr. Phillips absard, and after much exertion succeeded in reviving him. The two then hauled Burge absard, but the artfortunate man was too far gone, and, murmuring samething about being cold, died on the

to realized that unless they reached shore were ideled up shortly it would be all or with them. They began packling in but it was a hard task. Finally, after in the water an hear they were halled reer. Bishop and a boat load of resea-ed were saved. They did not return

PANIC ON SINKING ISLANDER. Julius, aged 20. They had been north on a pleasure trip and were on their way home. After retiring they were not seen again. A widow, four sons and two around, not answering the helm at all. on a pleasure trip and were on their way home. After retiring they were not seen again. A widow, four sens and two daughters, all residents of Los Angeles, survive. Mr. Keating made a fortune in South America and latterly had spent his time traveiling along the coast, taking up his residence at different places for short periods.

A physician who arrived by the Queens said that many had died from exhaustion and the cold after being taken out of the water, and that others were resuscitated after hours of hard work. Others again were taken with cramps while on the rafts and died from the effects. Thirteen bodies were taken out of the water on Thursday last. Some are being buried at Juneau and thers will be sent south.

Number of passengers tell of experiences during the disaster to the Islander. Mr. A. Brumbauer of Portland, who was bringing out a satebel which contained \$14,000 in Klondike gold, rushed up on the upper deck when the boat was settling by the head and Capt. Foote told him that there was little danger then, though there was a rush for the boats. When he started to board the lifeboat he was afraid to throw his satchel of gold down from the deck into the boat before sliding down into a place, for fear that the weight of the gold would stave a hole through the bottom of the lifeboat and thus cause the loss of lives of those who were in the boat as well as imperilling his own chance of safety. He concluded to abandon his gold, and, dropping his satchel on the deck, he slid down into the water and was hauled into the boat, thankful to have his life saved, though he lost his gold. STORIES OF PASSENGERS.

though he lost his gold. Sam Spartem, a Winnipegger, also dropped a satchel laden with \$4,000 in gold, and a friend lost his portmanteau with \$3,000 in gold in it, and each escaped to tell the story, while one man who had just come out from the Klondike—his name cannot be learned is reported to have taken his portmanteau from the care of Purser Bishop, and with his grip containing gold dust amounting to over \$40,000, grasped firmly in his hands, jumped from the sinking steamer to the boat lying close by. He failing to reach the boat and went down with his treasure. with his treasure.

HOW DR. PRILLIPS'S WIPE WAS LOST. United States Consul A. E. Smith, who was a passenger on the steamer Queen, having gone on a heliday trip, saw Dr. Phillips of Scattle at Juneau. Dr. Phillips told him that although he had escaped with his own life he had lost his wife and child. his own life he had lost his wife and child. The doctor insisted that no one called at his room, but he felt the sudden stoppage and said that his wife told him to get up and see what the cause was. He demurred at first, but hearing people moving about, he dressed and told his wife to dress. They all got out of the stateroom as quickly as they could, and as they got on deck the steamer was sinking. Before they could jump they were caught in the they could jump they were caught in the suction caused by the ventilating shaft, and his wife and child shot down and he himself was drawn into the ventilating shaft, but his head caught and prevented him from being drawn down to death with his wife and child. His eye was severely cut when he was caught in the ventilator. Dr Phillips says he went down with the steame caught hold of some wreckage and finally was found floating with the debris and helped ashore, where he was resuscitated after much difficulty.

after much difficulty.

The Hon. N. A. Belcourt, M. P., from Ottawa, who was one of the passengers saved, brought down by the steamer Queen, says that he had dinner with Dr. John Duncan the evening before the calamity. He had been feeling sick and was up till the had been feeling s midnight, when he saw Capt Foote and a number of passengers in the dining room. When the accident occurred he was asleep, and the shock awoke him and his friend. Mr. George Ray of Ottawa. No one came to arouse them, he said. They could not open the door of their stateroom and had to break their way out through their window. Mr. Belcourt jumped into the lifeboat from the upper deck and fortunately alighted safely. Both he and Mr. Ray did yeoman service in restoring the persons rescued from the lcy waters.

INDIANS CARRIED OFF VALUABLES

Passengers on the steamer Queen say that as the tide returned on Thursday morning after the disaster a large quantity of the debris from the wreck arose to the surface and drifted on the shore. The wreckage included parts of the cabin floor and stateroom fittings, trunks and baggage. The Indians were early on hand and with axes they slashed trunks, stole articles of value and carried off boatloads of valuables, no one darring to stop them. aluables, no one daring to stop them. While the Queen was en route down to While the Queen was en route down to Victoria a concert was given on board on Sunday evening for the benefit of the sufferers and the sum of \$333 was raised and placed in the hands of the United States Consul, Abraham E. Smith of Victoria, who

Consul, Abraham E. Smith of Victoria, who was a passenger on the Queen, for division among the most needy.

E. M. Green, a passenger, tells an incident of a man and his wife who had been several years in Yukon and had amassed a little eral years in Yukon and had amassed a little fortune which they were coming out to enjoy. When the boats were being launched the woman was taken in, but there was no room for the husband and he went down with the ship. She was saved with the others in the boats, but had absolutely nothing left but her night clothes. On the morning after the week a door drifted ashore with a dead child on it. T. e little one had on a life belt.

PILOT LEBLANC BLAMES THE CAPTAIN.

Pilot LeBlanc was on the bridge of the steamship at the time of the wreck. He tells of the disaster as follows. "The steamship left Skagway at 630 o'clock, Skagway time, 730 o'clock Victoria time, on the night of Wednesday, Aug. 14. We started down Lynn Canal and, although it was blowing strong and was dark and a bit cloudy, it was a good night for travelling. The stars could be seen through the gaps

The stars could be seen through the gaps in the clouds, in fact, it was a fairly good night. The Islander was going at nearly full speed, making fourteen knots.

"At 2:30 on the morning of Thursday, the 15th, without any warning whatever, she struck a piece of ice; how large it is impossible to say, for no one saw it. The officers had expected to meet ice, but, like all others running steamers to Alasken poets, figured that any piece of ice. kan ports, figured that any piece of ice that could not be seen could not do any damage to the ship."

"I was standing on the starboard side of the Islander's bridge at the time of the accident with my night glasses and was looking along the steamship's course for ice. Just before the steamship's struck I saw a piece of ice on the starboard bow and had cleared it and was looking for any other bergs that migh-be there, but nothing was to be seen of any ice. Not until the vessel struck was

was making water forward. I asked the watchman if the vessel was making much water and the watchman said. She is

"I realized that we must put the steamer ashore at once, and after ordering the helm hard a starboard I rang for both engines to go full speed abend. As I did so I told Capt. Foote that it was our only charge to put her on the beach. Capt Foote did not seem to realize the danger and said to me, I sion't think we will beach her here for the beach is too steep. We will ran her back to Hilds Bay and the ship can be saved if we put her on there.

Firster Rishep and a beat load of reserved and were saved. They did not return to the share, but constituted to two make and forth in the vicinity of the wreck. Asking up a besty here and there and residue some beaumined person clinging to criticis of the wrecks, intil the beat was been with living and dend when they continued to two testions of the wrecks, intil the beat was been with living and dend when they continued to the from the above of Douglass island, of the wrecks to the share a note from the save of Douglass island, of the source some being successful and others were eade to resuscitate those averaged and others with the source and the share and the residual source of Douglass island. Attaining those with were lost were Anthropy the willing for tripped how the was not time age on Blackwells Island, of attaining those with water and the boat and about the second in this land, seem to the boat of the saving a scuttered for tiling at the continued to the saving the was not ving a sentence for tiling in the was saving a sentence for tiling and along the way of the was not ving a sentence for tiling and the share at the saving and the store in the saving and the store is a may be the sent to the load at the saving a sentence for tiling and the store in the saving a sentence for tiling and the store is a saving a sentence for tiling and the store is a saving a sentence for tiling and the saving a sentence for tiling and the saving as sentence for tiling and the saving as sentence for tiling and the saving a sentence for tiling and the saving as the saving as sentence for tiling and the saving as sentence for tiling and the saving as the saving as sentence of the saving as the saving a

MEN SCRAMBLED FOR BOATS.

"I heard the mate's voice on the upper deck bout that time, and I called to him to clear away the boats. Then there was a rush of passengers to the upper deck. All were excited. They at once took a hand in the work of getting the boats out, and a majority of men rushed to the boats. There was no thought about women or children, but these men rushed to the boats and cut away the tackles and ropes and crowded

to the bonts.
"Had there not been such a rush of passengers I believe we would have saved the majority if not all the passengers, although the time was short. There was room for all in the boats and in the rafts, and had all in the boats and in the rafts, and had the passengers not acted on the principle of 'every man for himself,' as the majority did, the tale of dead would probably not have been as large.

"They clambered along the chains, loosed

away the tackle and crowding in were eagerly shouting 'Push off!' I saw one fellow, I don't know who he was, waving a hatchet and threatening to kill anybody who attempted to crowd into the boat in which he was standing. There was much excitement on both main and upper decks. "As for the crew, they behaved well indeed They could not have behaved better. Capt. Foote did not leave the bridge until the water practically lifted him off. All he thought of was the passengers and looked to their safety before seeking to save himself. The boats were all got off safely without being injured or swamped and their without being injured or swamped and then we got out two rafts.

A BUSH FOR BAPTS.

"All the people left on board made a rush for the rafts. On the forward raft, on which I was, there were about twenty-five people. Capt. Foote was on this raft and I did not see them after the raft upset, for I and Second Mate Howell left the raft and struck out through the water in search of wreckinge or something else to support ourselves. Howell went in one direction and I in another. I found a piece of wreck-age. I don't know how long I was in the water, but when I clambered up on the age. I don't know how long I was in the water, but when I clambered up on the wreckage I noticed that it was then daylight. I was taken off by a boat and landed with the other survivors and with them was taken care of by the people.

"As far as I can judge from the manner in which the steamer acted when she did not answer her helm, the Islander went down in about twenty-three fathoms of water. Soon after we left her she foun-dered, and as she went down there was a rush of air and water which carried away woodwork and threw a cloud of débris I don't think the boilers exploded. up. I don't think the boilers exploded. The splintered woodwork thrown up would undoubtedly be caused by the rush of air and water through the steamer as she went down. The ice which sank her struck her on the forward port bow just at the water-tight bulkhead and carried away the bulkhend. She foundered in, I should

BAPT LOAD WENT DOWN. F. C. Hinde Bowker, late manager of the British America Corporation of London,

"My first intimation of an accident was My first intimation of an accident was
the rushing of passengers on the deck,
which woke me up. I was in a cabin with
Mr. Maghten. I got up, went out of the
cabin and saw the steamer sinking at the
bow. I woke my partner up, and we dressed.
By this time she was still lower in the water.

"When I got out of the cabin the water
was abreast of the specific groom floors. When I got out of the cabin the water was abreast of the smoking-room floors. I went on the upper deck, followed by my partner. I saw the boats were gone. By this time only the stern was out of water. I saw a raft in the water with eight or ten people on it. I slid down the rope onto the raft, and as soon as I got on, the stern of the steamer soon as I get on, the stern of the steamer sank, and sucked the raft and people down. We were some time under water, but I held

on, and when it came up only two of us were left. "We hailed two men who were swimming and got them aboard, also a Chinaman. By this time the steamer had sunk out of sight. Many people hung on at different times, but it was not airtight and we had much difficulty in keeping affoat. We were turned over once by others climbing on, but generally managed to right ourselves.

ALENE WAS STEERED WRONG. Capt. Rode Says Helmsman Made Port Out of Starboard and Ifit Pliot Boat.

President D. C. C. Chase of the New Jersey Board of Pilots began an investigation vesterday of the running down of the pilotboat James Gordon Bennett by the returned Hamburg-American steamship Alene off the Scotland lightship, in clear weather, on Saturday afternoon.

Pilot Frank Hopkins testified that all the pilots except Mix, who had charge of the boat, were asleep. Mix, according to what Hopkins gleaned from the boatkeeper, noticed that the Alene was heading straight for the Bennett. The boat-keeper suppoted that the Alene intended to pass under the pilotboat's stern. Pilot Mix temarked, I wonder what that steamer is trying to do." Then he jumped from the cockpit to the deck and, hailing the Alene, shouted, "Sheer of!" The Alene vas then close aboard and all hands who was then close aboard and all hands who were on deck or had reached it after being warned to turn out in a hurry, rushed to the rail and leaped overboard. The Alene couldn't check her way for nearly half a mile. Boats were lowered from her and picked up Pilots Hopkins, Dexter and others.

Capt. Rode, the new German commander of the Alene, said in the presence of the rescued men that he had given orders to the quartermaster three times to starboard his wheel, but the quartermaster put it to

Pilots Hopkins and Dexter said that Capt Rode from his place on the bridge could not tell in which direction the quarter-master had put the wheel until he saw the

effect.

Pilot John I. Godbey, who was lost, was
the pilot of Shamrock I. in the Cup races
of 1899, and had been engaged as sea guide
for Shamrock II. next month.

FATHER TAUGHT HIM TO STEAL Plaint of an Abandoned Boy Who Took

any ice. Not until the vessel struck was I aware of the proximity of ice.

"As soon as the crash occurred I rushed to the port side of the bridge, but saw nothing of the berg, for it had completely disappeared under the vessel. The crash was not a heavy one, in fact, I have struck logs which have caused more concussion.

"I immediately rang for the engines to be stopped, and hardly had I done so when Capt. Foote came running on to the bridge from his room. The night watchman ran up from the lewer deck immediately after him and reported that the steamship was making water forward. I asked the Rolls From a Basement.

oned the boy, who said "Well, if you want to know it, my father taught me how to steal. I've been in hard hick for a long time and often I've nearly been starved. I was hungry to-day and ok the rolls. Sergt, vallingher remembered the bay's ther as having been a policeman a lew-ars ago and attached to the Hamburg average station. He got into some trouble and lost his shield. Afterward be and his wife separated. The boy, according to his story, was left to shift for himself.

DYKMAN STAY FOR DIAMOND. and of the raids of the Fifteen, headed by IMMIGRANTS SMUGGLED IN.

DISTRICT ATTORNEY COULD NOT GET IT MODIFIED

Could Not Even See the Justice at White Platus Police Captain Asks for a Change of Venue Says This County is Prejudiced - Goff Accuses His Lawyer of Unprofessional Conduct.

Henry Clay Henderson, lawyer for Police Capt. Diamond of the East Fifth street station, who was to have pleaded before Recorder Goff yesterday morning to an indicators. street station, who was to have pleaded before Recorder Goff yesterday morning to an indictment for neglect of duty, got from Supreme Court Justice Dykman at White Plains in the Second Department a stay of proceedings and an order for the District Attorney to show cause why the District Attorney to show cause why the trial of the case should not be removed from General Sessions to the Supreme Court of another county. Upon Mr. Henderson's advent before the Recorder yesterday morning with the stay and the order to show cause the Recorder accused Mr. Henderson of unprofessionaal conduct. Deputy Assistant District Attorney Gans was sent at once to White Plains to apply to Justice Dykman for a modification of the stay. Mr. Gans telephoned back to the District Attorney that Justice Dykman not only refused to see him and entertain his motion or answer his notes, but also returned the answer "I have nothing to say" to a note from Mr. Gans asking if the Justice would see him to-day. In response to a telephone message sent by New York reporters to Justice Dykman's house after the Gans incident became known here, a woman's voice replied, that the Justice was ill at home and had refused to see Mr. Gans. Justice Dykman set Aug. 27 as the time when the order to show cause should be argued before him at White Plains.

Capt. Diamond was not present when Recorder Goff opened his court at 10:30 'clock, but his lawyers, Henderson and Grossman & Vorhaus were on hand, apparently elated. Mr. Henderson stepped forward and producing his documents

"We have here an order from Justice Dykman of White Plains staying all proceedings in this case until the argument comes up on the 27th on a motion we have made to remove the case from General essions to the Supreme Court and for change of venue to any other county of this State on the ground that the case cannot be tried fairly in New York county. We urge the change of venue and the transfer from this court further on account of the novel, intricate and important points of law likely to arise and because the matters involved have attracted the greatest attention and have been widely discussed in the press and because great care is necessary to prevent injustice being done to the defendant."

The Recorder said sharply: "It was understood expressly when granted on last Friday an adjournment of pleading until to-day that it was done because you had just come into the case and in order to give you a chance to familiarize yourself with it so that you might, if you desired, demur to the indict-You have abused the consideration shown to you and obtained these write. I cannot express to you, sir, my appreciation of your unprofessional conduct, under the circumstances, in applying to a Judge of the Supreme Court and in another de-partment, for an order staying all pro-ceedings.

partment, for an order staying all pro-ceedings."
"I am sorry that you take that view," replied Mr. Henderson with heat. "When I was employed in this case on Friday I was unfamiliar with it and it took me until Saturday night to become conversant with it. I did not understand that the postponement was for any other pur-pose than to give me time to consider what move I should make; nor that I was con-sidered to be restricted to a demurrer. sidered to be restricted to a demurrer. It would have been impossible for me to make my motions before a Supreme Court Justice in this city in time to appear be-fore you at the time set so I stopped at the Supreme Court at White Plains. Had I had another day I would have made my ap-I repeat what I said in regard to your

unprofessional conduct in obtaining this order from a Judge in another department who knew nothing of this case, re-

ment who knew nothing of this case, replied the Recorder.

"I considered it my duty to my client," returned Mr. Henderson angrily. "I do not wish my conduct termed unprofessional in any court. I—"

"That is enough, sir!" interrupted the Recorder. "I will hear no more."

Mr. Henderson then filed his papers, and went away. Assistant District Attorney Gans, hurried to Mr. Philbin and told him what had happened. Mr. Philbin

and went away. Assistant District At-torney Gans, hurried to Mr. Philbin and told him what had happened. Mr. Philbin sent him to White Plains at once. "Go to Justice Dykman," said Mr. Phil-bin, "and apply to him for a profile." "Go to Justice Dykman," said Mr. Phil-bin, "and apply to him for a modification as to the time of argument of the order to show cause from the twenty-seventh to within a few days and as to the stay that it apply only to the trial of the case and not to all proceedings so that Diamond's pleading may not be unduly delayed."

Mr. Gans went. About the middle of the afternoon he called up Mr. Philbin by tele-phone.

I called at Justice Dykman's house reported Mr. Gans, "and said that I wanted to see him. I received a reply that he could not see me. Then I sent a note to him that I had come to ask for a modification of the stay in the Diamond case. He sent out word that he had nothing to say. Then I sent him a note explaining just what modi-fications I wanted and the reasons why. existions I wanted and the reasons why, exent out word again that he had nothing say. Then I sent him a note asking him he would see me to-morrow. Again sent out word that he had nothing to say.

if he would see me to-morrow. Again he sent out word that he had nothing to say. When the result of Mr. Gans's visit to White Plains became known the reporters called on Mr. Philbin.

Do you expect to do anything else? he was asked.

'I have nothing to say, he replied.

'What else can you do?

'I have nothing to say.

'Have you any comment to make?'

'None. I don't criticise Judges.'

Capt. Diamond was indicted last Tuesda morraing for not suppressing Lena Schmidt's disorderly house at 27 Stuyvesant street. Before the indictment was filed he and his lawyers, Levy & Unger, who have since withdrawn from the case, knew that the indictment had been found, and when it was filed they were in court with Diamond anxious to plead at once. The Recorder said that he needn't plead until the next day according to the usual routine, and ordered that the warrant for his arrest be not served. The captain appeared next day and when Mr. Gans wanted bail fixed at \$3,000, and Capt. Diamond said that he ware how wonch the bail was \$5,000, and Capt. Diamond said that didn't care how much the bail was, corder Goff fixed it at \$2,000 and it was furnished at once. The time for pleading was set for Friday, although Diamond's lawyers now wanted a week's postponement. When Friday came Mr. Vorhaus appeared with Mr. Henderson and told the Recorder that the latter had taken the place of Levy & Unger. He asked for another week's postponement and got drail vesterday. Diamond's counsel had evidently been very busy in the meantime for with the write obtained yesterday was an affidavit by Diamond of about 5,000 words and esdumn after column of newspaper chippings concerning the vice crustic, the Bissert case and the Glemon proceedings before Justice Jerome, all tending to show that public sentiment in the county was much aromed over alleged on April 15, 1988; that the propulation of his precipes was 150,000, that while he had been of the vice crosside, the charges against tapt Burlilly of the Eddridge attrest police matter, of Berlity's "trial" by the Police Lemminstoners and of the "exemptation,"

That so prenounced has become the sentiment in this city in favor of this method of proceedure and so great has been the chrowing a sentiment to this committee in their efforts to procure evidence upon which such allegations may be sustained, that a Police Magistrate in this city has seen fit to ally himself with such forces and to go about with the agents and representatives of said committee and to issue warrants for the arrest of fletitious people and to use force and violence in making arrests of persons flictitiously named in warrants issued by

In referring to the trial of Bissert [Capt In referring to the trial of Bissert [Capt. Diamond's wardman recently convicted of receiving a bribe of \$550 from Lena Schmidt] Diamond quotes Recorder Goff as saying: "Do you think this Court has nothing else to do except to listen to exceptions by counsel on either side to summing up? Oh, such practices are trivial, Mr. Vorhaus."

Diamond goes on to say: Diamond goes on to say:

The present agitation in the public press and by Messrs. Jerome and Moss and the Committee of Fifteen is for the actual purpose of creating sentiment this fall for political purposes, that the said agitation is manufactured, made and continued for the express purpose of electing in this city so-called reform officers in the coming elections who shall be antagonistic to the officers at present in office, and such agitation will continue as the election approaches and will become more difficult for this deponent to obtain a fair and impartial trial by reason of such agitation.

Deputy Assistant District Attorney Train returned from his vacation yester day in order to prepare for argument in the Supreme Court next Monday to show that the indictment against Fire Commis-sioner Scannell for conspiracy to defraud the city should not be dismissed. Al-though indicted about six weeks ago Mr. Scannell has not yet pleaded to dictment. Assistant District Attorney Gans

leave to-day for Fredonia to argue to-morrow before Justice Hooker of the Supreme Court that the temporary stay of the execution of the sentence of Wardman Bissert should not be m pending appeal of the case.

WHITE PLAINS, Aug. 19.—Judge Dykman was not to be seen at his home. He is indisposed and under the doctor's care. He sent word to reporters that he had nothing to say about the order in Capt

NEW RUSSELL BRIBERY CASE Law and Order League Man Arrested Again for Peddling Protection.

The "Rev." Frederick Bruce Russell of the New York State Law and Order League was arrested yesterday afternoon on a the ownership of the \$5. Fox said he had warrant issued in the Yorkville court by Magistrate Brann at the request of James H. Lawrence a reporter in the employ of the Herald. The request was based on affidavits signed by Richard Henry Smith and William C. Wells, both of whom until recently were employed as agents for issell's society.

Russell's society.

Russell was arrested on the Bowery.

He was locked up in the East Twentysecond strest police station. His brother,

William Russell, appeared there later and
bailed him out, giving as security the house
at 27 McDonough street, Brooklyn. The
brothers left the station arm.

at 27 McDonough street, Brooklyn. The brothers left the station arm in arm.

In his affidavit Smith declared that on June 9 Russell told him that Benjamin Cohen, the keeper of a resort at Fourteenth street and Irving place was violating the law pretty freely and that he ought to pay something for being let alone. That same evening Russell, Smith and Wells called on Cohen, who, after some conversation with Russell, turned to Smith with the question:

"Will \$15 be enough?"

Smith, according to his sworn statement, repeated the question to Russell, who answered that it was all right and told Cohen to hand the money to Smith. That was done, Smith said, and later, outside the place, Smith turned the money over to Russell.

Lawrence was accompanied by Deputy
Assistant District autorney S. Shortridge.
Russell is at present out on bail pending
trial on a charge of having taken \$100 from
one J. S. Patterson, as compensation for giving him protection Patterson kep some slot machines and soon discovered that the "protection" of Russell did not

DUNNE'S CLAIM TO FLORODORA. Ryley and Fisher Say He Declared Out on That Deal.

The motion of John W. Dunne for an Injunction to restrain Thomas W. Ryley and John C. Fisher from disposing of their interests in the play "Florodora" and for the appointment of a receiver pending the suit for a dissolution of the alleged partnership among the parties to the case was argued before Justice O'Gorman of the supreme Court yesterday Dunne and Ryley were partners in other theatrical ventures and Dunne contends that when Ryley and Fisher went abroad and secured the play it was understood that he should have a third interest in it. The defendants have a third interest in it. The defendants assert that they took the play themselves, intending to let Dunne have a third interest if he would put up his share of the preliminary expenses, but that Dunne declined to advance any money, declaring at that time that he was not in the deal on that play. The Court reserved decision.

To Recover Duties on Porto Rico Sugar. L. W. & P. Armstrong have brought two actions in the Supreme Court to recover duties collected on cargoes of sugar from Porto Rico by Collector of the Port George Porto Rico by Collector of the Port George R. Bidwell in 1890. One action is to recover \$3,796.99 collected on 200 packages of sugar on March 20, 1890. In the other action the return of the following moneys is asked, with interest: \$20,719.79, paid June 14, 1899, on 5,149 packages; \$16,695.02, col-lected June 24, 1899, on 4,363 packages, and \$17,266.27, collected on Sept. 9, 1899, on 4,331 packages.



## Infants' and Children's Shoes.

Our aim in Infants' and Children's Shoes has always been to combine with absolute protection to the natural shape, the best wearing service, the most attractive appearance, and very moderate cost.

The largest existing variety of shapes and sizes makes perfect fit a certainty and our shoe department one of the most popular sections of the Children's Store. In fancy white kids for infants, tan, vici and other summer styles for children the assortment just now is exceptionalty complete.

Mail arriers receive special attention 60-62 West 23d St.

ARREST OF AN OFFICER OF LA GASCOGNE IMPENDS.

New Boarding Inspector of the Immigration Bureau Gets on the Trail of a Predecessor - 85 an Immigrant, It is Said, Was the Fee Offered and Taken.

Proceedings have been taken looking to he arrest of an officer of the French liner La Gascogne, which arrived on Sunday from Havre. He is accused of bribing Federal officials to allow immigrants to land at the French pier and depart therefrom as naturalized citizens of the United States The evidence to be used against the

officer was obtained on Sunday by a boarding inspector of the Immigration Bureau, who, with another inspector, Assistant Immigration Commissioner McSweeney, came up from Quarantine on the liner

The two inspectors were assigned to their present duty only recently. Heretofore, for a period of nearly six years, another inspector, who is now an interpreter at Ellis Island, had the job. The accused officer talked with the new boarding inspector on the way up the bay, and, according to the inspector, said that he, the officer, had been in the habit of securing the release of certain immigrants by pay-ing \$5 for each unmarried person and \$6 for families

The inspector informed Mr. McSweeney of the officer's proposition, it was said, and the Assistant Commissioner told the inthe Assistant Commissioner told the in-spector to enter into negotiations with the officer. About one hundred persons were landed, but none was allowed to leave the pier. It was said that the officer had paid about \$40 to the inspector. Affidavits were drawn up and on the strength of them the proceedings referred to were begun.

o were begun.
It is said that the practice of smuggling

in immigrants has been going on for six years, and that more than 10,000 aliens have come in without the payment of the head tax of \$1. But the head tax is the least important part of it. The immigrants thus smuggled in escape the Ellis Island inquisi-tion as to their character and means of

vestigation of the methods and the men of the boarding division and the Supervising Inspector's staff of the Immigration Bureau.

KILLING IN A CRAP GAME. Negro Shoots Another Down and Then

Holds a Crowd Off With His Pistol. Randle Fox shot and killed Grant Young n a fight over \$5 yesterday. Both are negroes living at 2516 Park avenue. With four others they had been playing craps in the back vard and a dispute arose over won it from Young and Young decied it. The former suddenly pulled a gun and shot Young through the heart, killing him instantly.

Fox escaped through the house and running along 138th street entered a lumber yard where he hid under a pile of timber. A crowd followed him, but he held them at bay with his pistol. The crowd attracted the attention of Policemen Griffin and Kelly. After half an hour's search they found the negro in the yard. He had a bullet hole in his left arm, which bore fresh powder marks. After a struggle the policemen disarmed him and took him to the Alexander avenue police station where it was found that he had taken the empty cartridges from his pistol and had reloaded it.
The fellow was taken before Magistrate

The fellow was taken before Magistrate Zeller and remanded to the custody of Coroner McOwen of The Bronx. He declared that Young had shot him first and that he had fired in self-defence. Fox is known to the police as a bad man. He attempted to shoot a bartender in a saloon at 138th street and Park avenue, on Sunday night, but was prevented by bystanders. Where the fight occurred is known as "Bedbug Row."

GOVERNORS AT THE EXPOSITION. Those of Michigan, Louisiana and Virginia Preparing for State Days.

BUFFALO, Aug. 19. - Governors of three States came to the Exposition to-day to prepare for State days which occur this week. Gov. A. T. Bliss of Michigan was attended by a large party and came here by steamer. Michigan Day will be to-morrow. Gov. A. A. Heard of Louisiana and his staff came by special train. Gov. J. Hoge Tyler of Virginia and the famous Richmond Light Infantry Blues are at the

Hotel Lincoln.

The West Point cadets have invited the Exposition officials and others to witness a special drill on Wednesday morning.

PORTO RICAN ARMY DAY. Reunion of Those on the Miles Expedition

at the Pan-American Next Week. BUFFALO, Aug. 19.—The management of the Pan-American Exposition has designated Aug. 27 as "Porto Rican Army Day." The second annual meeting of the National Commandery of the Society of the Porto Rican Expedition, of which Gen. Miles is National Commander, will be held in Buffalo on Aug. 26 and 27 and an attendance of 1,500 of the officers and men who participated in the Miles expedi-tion to Porto Rico in 1898 is expected. Nearly 1,200 men of the Sixteenth Penn-Nearly 1,200 men of the Sixteenth Pennsylvania Volunteers, who were in the expedition, live close to Buffalo and a large attendance is expected from them. In addition to Gen. Miles, it is expected that Gen. Brooke, Gen. Schwan, Gen. Hains, Gen. Ernst, Gen. Gilmore, Gen. Griffin, Gen. Garretson, Capt. Sigsbee and other distinguished officers will be present.

The meeting will decide whether the next reunion shall be held at San Juan, Porto Rico, as has been suggested.

BEGGAR ANNOYS CLERGYMAN. The Rev. Mr. Crosby Causes the Arrest

of Abraham Lincoln. The Rev. Thomas J. Crosby, one of the assistants of Trinity Church, caused the arrest last night of a begger who had been bothering him for some time. About three months ago the man called at the Trinity parish house at 61 Church street and told the Rev. Mr. Crosby a pitiful tale and told the Rev Mr. Crossly a pitiful tale about a wife and children who were dependent on him. He said that he had not worked for a long time and that his family was starving. Mr. Crossly gave him money and told him to try to find work. Since then he has succeeded in getting many small sums from the clergyman. Last night as Mr. Crossly came out of the rectory the man accosted him, demanding money, and on being refused he began to call him all sorts of vile tames. He followed Mr. Crossly to Nassau and Beskuam streets. all sorts of vice battless. He followed Mi-Crosby to Naesau and Reekinan streets, where the elergyman asked a policeman to arrest the beggar. At the Oak street station the prisoner said his name was Abraham Lincoln.

J. HENRY CRANE GETS DIVORCE. He is an Evangelist's Son and She a Church

PLAINTINES, N. J. Aug. 19. J. Henry Crane of East Fifth street, has been granted decree of absolute divorce from his wife for Chancellor Mage on the ground of discrition. Mrs. Cruse has not lived with her initiated for a long time. She is in Contraction, and when the papers were issued site timbe no amount. Mr. Cruse is the way of the liest Arthur Orane, an emogetic mas, in the Scoth, Young Mr. Cruse with way, Miss. May Breat of La Cruse with way. Miss. May Breat of La Cruse with stay. Miss. Live Beath, Times by Chancellor Magic on the ground of atin into at Transi Renormen Countries with Not marriage Mr. Crane alogue that his wife left ham. Mr. and Mrs. Crane have no

You are invited to inspect the new Fall shapes of



They have the usual perfection in lines, superiority of material and workmanship, and are the standards of fashion. The proper finish to correct attire.

## Ready TO-MORROW

"Patronize American Industries." For Sale at the Retail Stores:

212 BROADWAY, Cor. Fulton St.; 194 FIFTH AVE. (5th Ave. Hotel); 340 FULTON ST., BROOKLYN; 187-189 STATE ST., CHICAGO,

And by the representative hatters in every city in the United States. NONE GENUINE WITHOUT THE

TRADE-MARK.

JERSEY HORSE THIEVES NABBED Picked Up Yonkers Police Chief and Drove Him to the Station.

MOUNT VERNON, N. Y., Aug. 19 .- George Taylor of Paterson, N. J., and George Brown of Williamsbridge, were arrested here to-night by Chief of Police Foley on the charge of having stolen a horse and runabout from a man in Jersey City. Without knowing that he was a policeman Taylor drove Chief Foley about the streets in the stolen vehicle for nearly an hour and then took him to the police headquarters, where the Chief suddenly revealed his identity and locked his escort in a cell. The man was so surprised that he confessed the theft and gave a description of Brown, who was found on the street

a telephone message from Clarence Ware, a liveryman, saying that a strange young man had tried to sell him a \$250 trotter and runabout for \$60. He had declined to buy it because he thought that it was stolen. Mr. Ware gave a description of the stranger and Chief Foley went on his trail. Presently he met Taylor and the rig on Fourth avenue.

Hello there, where are you bound?\* Chief Foley asked as he stepped out in front

Chief Foley asked as he stepped out in front of the man.

"Why, hello," exclaimed the horse thief.

"Are you Johnson? I've been looking all over town for you. Your man told me that you wanted to buy a horse."

Chief Foley saw that the thief had mistaken him for Johnson, a liveryman. He got into the runabout and the thief drove him along to show the horse's paces. As they drove Foley questioned the thief. Finding that he could give no good account of how he came into possession of the horse and buggy he directed him to drive up South Third avenue toward the police station.

As the thief approached the station and saw the green lights he realized that he was trapped and tried to jump out. Chief Foley grabbed him by the throat and took a re-volver away from him. The horse and runabout were stolen at 2 o'clock yesterday morning on the outskirts of Jersey City.

MOTORMAN TO BLAME FOR SMASH Train That Killed Him Had Right of Way -Vietim of Another Collision Dead.

President Greatsinger of the Brooklyn Rapid Transit Company says that Motorman John Sirinek was responsible for the accident at Gravesend avenue and Avenue D. Parkville, on Saturday night, by which the motorman and a passenger were killed and twenty-five passengers injured. \*All the facts point to Sirinek as the author of the disaster," said Mr. Greatsinger of the disaster," said Mr. Greatsinger.
"The train had the right of way, as all
trains have, and the motorman should
have stopped and waited for the train
to pass. As it was, even if the train had
not been struck by the troiley car, the car
would have gone off the track, as the switch
was locked for the train to pass.

It was reported yesterday that all the
injured persons were progressing favorabily in the various hospitals and some
had so far recovered as to be able to gu
to their homes.

William J. Lang, 22 years old, of 343
Gleamore avenue, who was injured by

Gleamore avenue, who was injured by beer kegs falling on him in a collision between a trolley car and a brewery truck, at Liberty avenue and Logan street on Saturday, died in St. Mary's Hospital. William Werdner, the motorman, was held by Magistrate Naumer yesterday in \$1,000 bail on the charge of manslaughter.

ASSAULTED A ONE-ARMED MAN. William Blauvelt and Guests on His Farm

Try to Clean Gut a Summer Hotel. SOMEEVILLE, N. J., Aug. 18.-William Blauvelt of New York and William McQuade and Charles Sculligan of Greenpoint, Brooklyn, were arrested at Blauvelt's summer place, near Middlebush, this afternoon by Detective Totten and placed in the county jail here, charged with committing a murderous assault on John Hulsizer, the one-armed proprietor of the Millstone Hotel and William Hall, a citizen of Millstone. Blauvelt, McQuade and Sculligan drove into Millstone on Saturday night intoxicated, and attempted to clean out the hotel. William Hall was kicked out into the street, where the three men jumped on him. Hulsizer interfered and was attacked. He defended himself with one hand until a finger was broken. A number of citizens went to his rescue. A riot ensued in which the three men were badly used by the villagers. Blauvelt is the son of a New York business man, and McQuade and Sculligan were his guests at the Blauvelt farm lyn, were arrested at Blauvelt's summer

## R·I·PA·N·S

R-I-P-A-N-S Tabules are the only medicine I can get that will do me any good for the catarrh in the head, nose, throat and bowe's which I have had for about thirty years. My age is nearly eighty years.

> At Druggists, 10 for 5 cents.